



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2225

DATE SCANNED 7-20-11

SCANNER NO. 2

SCAN OPERATOR MLK

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 10, 2010

MEMORANDUM

TO: THE COMMISSION

THROUGH: ALEC PALMER
ACTING STAFF DIRECTOR

FROM: PATRICIA CARMONA *PC for PC*
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: *nuc* NATALIYA IOFFE/SARI PICKERALL/IAN WANDNER *SR in*
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 OCTOBER
QUARTERLY REPORT (NON-ELECTION SENSITIVE) FOR THE
ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 October Quarterly Report in accordance with 2 U.S.C. 434(a). The October Quarterly Report was due on October 15, 2010.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days after the due date, or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission

Federal Election Commission

Reason to Believe Circulation Report

2010 OCTOBER QUARTERLY - Not Election Sensitive 10/15/2010 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2212	C00458745	ANDRE WILLIAMS FOR CONGRESS	WILLIAMS, ANDRE LEWIS	DAVID EVERETT MARKO	\$375,326	0	10/28/2010	13	\$51,704	\$1,402
2213	C00474049	CARLINEO FOR CONGRESS	CARLINEO, GLORIA	GLORIA CARLINEO	\$181,423	0	12/7/2010	Not Filed	\$44,000	\$990
2215	C00480434	CHUCK FLUME FOR CONGRESS	FLUME, CHARLES WILLIAM SR.	BRUCE BLOCH	\$102,330	0		Not Filed	\$51,165 (est)	\$2,970
2216	C00477869	CLARK VANDEVENTER FOR CONGRESS 2010	VANDEVENTER, CLARK	CLARK VANDEVENTER	\$187,791	0		Not Filed	\$62,597 (est)	\$2,970
2218	C00463976	DEDE FOR CONGRESS INC	SCOZZAFAVA, DIERDRE K	DIERDRE K SCOZZAFAVA	\$762,971	1		Not Filed	\$254,324 (est)	\$11,000
2219	C00465773	DEON LONG FOR CONGRESS	LONG, OMETRIAS DEON	DEON LONG	\$252,205	0		Not Filed	\$84,068 (est)	\$3,850
2220	C00460220	DICK KELSEY FOR CONGRESS	KELSEY, RICHARD FRANKLIN	JOHN B BARRETT	\$530,198	0		Not Filed	\$88,366 (est)	\$3,850
2222	C00463265	ETHAN HASTERT FOR CONGRESS COMMITTEE	HASTERT, ETHAN ALLEN	LARRY NELSON	\$1,247,146	0		Not Filed	\$249,429 (est)	\$7,150
2223	C00481184	FRIENDS OF ROSS BIELING	BIELING, ROSS PARKER	ROSS PARKER BIELING	\$385,138	0	10/22/2010	7	\$112,696	\$1,535
2224	C00479006	HERRMANN FOR CONGRESS	HERRMANN, THOMAS A	FRANK J DEMILO CPA	\$1,207,368	0		Not Filed	\$402,456 (est)	\$9,900
2225	C00461970	JAY FLEITMAN FOR CONGRESS COMMITTEE	FLEITMAN, JAY SCOTT	MARY LOU STUART	\$286,236	0	10/22/2010	7	\$60,174	\$907
2226	C00473819	JIM HOLT CAMPAIGN COMMITTEE	HOLT, JIM	MARC MILLSAP	\$295,537	0		Not Filed	\$73,884 (est)	\$2,970
2229	C00477703	KEVIN POWELL FOR CONGRESS 2010	POWELL, KEVIN	LLOYD COLONA	\$349,015	0		Not Filed	\$116,338 (est)	\$4,950
2231	C00463273	LOWRY FOR CONGRESS	LOWRY, ROBERT PAUL	ROBERT PAUL LOWRY	\$127,909	0		Not Filed	\$25,582 (est)	\$990

AF#	Committee ID	Committee Name	PV	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2232	C00483149	LUIS MEURICE FOR CONGRESS COMMITTEE		MEURICE, LUIS	BERNARD A BECKER	\$184,913	0	10/26/2010	11	\$57,453	\$1,237
2234	C00479907	MARK FRENCH FOR CONGRESS		FRENCH, MARK TODD	KATHLEEN CARRELL FRENCH	\$103,782	0		Not Filed	\$34,594 (est)	\$990
2235	C00475085	MATTHEW BURKE FOR CONGRESS		BURKE, MATTHEW	BURKE, JENNIFER	\$100,517	0	11/2/2010	18	\$3,344	\$115
2236	C00423202	MIKE GRAVEL FOR PRESIDENT 2008		GRAVEL, MIKE	MIKE GRAVEL	\$288,073	5		Not Filed	\$48,012 (est)	\$2,227
2237	C00463406	MORGAN FOR CONGRESS		MORGAN, VINCENT SCOTT	HON RD SNYDEN	\$152,791	0	11/17/2010	Not Filed	\$34,665	\$250
2238	C00480715	MULLEN FOR CONGRESS		MULLEN, WESLEY MARTIN	STUART WAYNE MCMAHEN	\$101,296	0		Not Filed	\$33,765 (est)	\$990
2242	C00473595	RICHARD LAKE FOR CONGRESS		LAKE, RICHARD DAVID GEORGE	TERRANCE BRADLEY	\$101,188	0		Not Filed	\$33,729 (est)	\$990
2243	C00468264	SCOTT TAYLOR FOR CONGRESS		TAYLOR, SCOTT W	ITHIEL HARLEY THOMAS IV	\$137,491	0		Not Filed	\$27,498 (est)	\$990
2244	C00468934	SCOTT WALLACE FOR US CONGRESS		WALLACE, SCOTT	MAUREEN RUGGIERO	\$273,613	0		Not Filed	\$68,403 (est)	\$2,970
2246	C00473512	SHELDON GOLDSTEIN FOR CONGRESS		GOLDSTEIN, SHELDON	JUSTIN MOORE	\$176,204	0		Not Filed	\$35,241 (est)	\$990
2247	C00471516	SIAS FOR CONGRESS		SIAS, LANGHORNE C	CORY DICKSON	\$356,280	0		Not Filed	\$89,070 (est)	\$3,850
2248	C00467712	SINGH FOR CONGRESS		SINGH, NAVRAJ	TIMOTHY J DAVIS	\$417,659	1		Not Filed	\$104,415 (est)	\$6,187
2249	C00467761	SUE LOWDEN FOR U S SENATE		LOWDEN, SUE	BOB BEERS	\$8,068,867	0	10/22/2010	7	\$42,982	\$340
2250	C00476432	TIM WOOLDRIDGE FOR CONGRESS		WOOLDRIDGE, TYMOTHE (TIM) LYNN	CHARLES R PARTLOW	\$1,107,167	0	11/22/2010	Not Filed	\$19,501	\$550
2252	C00477844	WADE FOR DELAWARE		WADE, KEVIN LYNN	HARRY SKILTON	\$135,364	0		Not Filed	\$67,682 (est)	\$2,970
2253	C00471433	WILL BOYD FOR US SENATE		BOYD, WILLIE WILL FUGNF .JR	WILLIE "WILL" BOYD JR	\$131,829	0	10/23/2010	8	\$16,581	\$150

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2010)
October Quarterly Report (Non-Election)
Sensitive) for the Administrative Fine)
Program:)
MATTHEW BURKE FOR CONGRESS,) AF# 2235
and BURKE, JENNIFER as treasurer;)
ANDRE WILLIAMS FOR CONGRESS,) AF# 2212
and DAVID EVERETT MARKO as)
treasurer;)
LUIS MEURICE FOR CONGRESS) AF# 2232
COMMITTEE, and BERNARD A)
BECKER as treasurer;)
WILL BOYD FOR US SENATE, and) AF# 2253
WILLIE "WILL" BOYD JR as treasurer;)
FRIENDS OF ROSS BIELING, and) AF# 2223
BIELING, ROSS PARKER as treasurer;)
JAY FLETTMAN FOR CONGRESS) AF# 2225
COMMITTEE, and MARY LOU STUART)
as treasurer;)

SUE LOWDEN FOR U S SENATE, and) AF# 2249
BOB BEERS as treasurer;)
CARLINEO FOR CONGRESS, and) AF# 2213
CARLINEO, GLORIA as treasurer;)

CHUCK FLUME FOR CONGRESS, and) AF# 2215
BRUCE BLOCH as treasurer;)
CLARK VANDEVENTER FOR) AF# 2216
CONGRESS 2010, and CLARK)
VANDEVENTER as treasurer;)

DEDE FOR CONGRESS INC, and) AF# 2218
SCOZZAFAVA, DIERDRE K as treasurer;)
DEON LONG FOR CONGRESS, and) AF# 2219
DEON LONG as treasurer;)

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DICK KELSEY FOR CONGRESS, and) AF# 2220
JOHN B BARRETT as treasurer;)

ETHAN HASTERT FOR CONGRESS) AF# 2222
COMMITTEE, and NELSON, LARRY as)
treasurer;)
HERRMANN FOR CONGRESS, and) AF# 2224
FRANK J DEMILO CPA as treasurer;)
JIM HOLT CAMPAIGN COMMITTEE,) AF# 2226
and MARC MILLSAP as treasurer;)

KEVIN POWELL FOR CONGRESS 2010,) AF# 2229
and LLOYD COLONA as treasurer;)
LOWRY FOR CONGRESS, and ROBERT) AF# 2231
PAUL LOWRY as treasurer;)

MARK FRENCH FOR CONGRESS, and) AF# 2234
KATHLEEN CARRELL FRENCH as)
treasurer;)
MIKE GRAVEL FOR PRESIDENT 2008,) AF# 2236
and MIKE GRAVEL as treasurer;)
MORGAN FOR CONGRESS, and) AF# 2237
SNYDEN, RD HON. as treasurer;)
MULLEN FOR CONGRESS, and) AF# 2238
STUART WAYNE MCMAHEN as)
treasurer;)

RICHARD LAKE FOR CONGRESS, and) AF# 2242
BRADLEY, TERRANCE as treasurer;)
SCOTT TAYLOR FOR CONGRESS, and) AF# 2243
ITHIEL HARLEY THOMAS IV as)
treasurer;)
SCOTT WALLACE FOR US CONGRESS,) AF# 2244
and RUGGIERO, MAUREEN as treasurer;)

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SHELDON GOLDSTEIN FOR) AF# 2246
CONGRESS, and JUSTIN MOORE as)
treasurer;)
SIAS FOR CONGRESS, and CORY) AF# 2247
DICKSON as treasurer;)
SINGH FOR CONGRESS, and TIMOTHY) AF# 2248
J DAVIS as treasurer;)
TIM WOOLDRIDGE FOR CONGRESS,) AF# 2250
and CHARLES R PARTLOW as treasurer;)

WADE FOR DELAWARE, and HARRY) AF# 2252
SKILTON as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 15, 2010 the Commission took the following actions on the Reason To Believe Recommendation - 2010 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 13, 2010, on the following committees:

AF#2235 Decided by a vote of 6-0 to: (1) find reason to believe that MATTHEW BURKE FOR CONGRESS, and BURKE, JENNIFER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2212 Decided by a vote of 6-0 to: (1) find reason to believe that ANDRE WILLIAMS FOR CONGRESS, and DAVID EVERETT MARKO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners

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Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2232 Decided by a vote of 6-0 to: (1) find reason to believe that LUIS MEURICE FOR CONGRESS COMMITTEE, and BERNARD A BECKER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2253 Decided by a vote of 6-0 to: (1) find reason to believe that WILL BOYD FOR US SENATE, and WILLIE "WILL" BOYD JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2223 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF ROSS BIELING, and BIELING, ROSS PARKER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2225 Decided by a vote of 6-0 to: (1) find reason to believe that JAY FLEITMAN FOR CONGRESS COMMITTEE, and MARY LOU STUART as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2249 Decided by a vote of 6-0 to: (1) find reason to believe that SUE LOWDEN FOR U S SENATE, and BOB BEERS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2213 Decided by a vote of 6-0 to: (1) find reason to believe that CARLINEO FOR CONGRESS, and CARLINEO, GLORIA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2215 Decided by a vote of 6-0 to: (1) find reason to believe that CHUCK FLUME FOR CONGRESS, and BRUCE BLOCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2216 Decided by a vote of 6-0 to: (1) find reason to believe that CLARK VANDEVENTER FOR CONGRESS 2010, and CLARK VANDEVENTER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2218 Decided by a vote of 6-0 to: (1) find reason to believe that DEDE FOR CONGRESS INC, and SCOZZAFAVA, DIERDRE K as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2219 Decided by a vote of 6-0 to: (1) find reason to believe that DEON LONG FOR CONGRESS, and DEON LONG as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2220 Decided by a vote of 6-0 to: (1) find reason to believe that DICK KELSEY FOR CONGRESS, and JOHN B BARRETT as treasurer violated 2 U.S.C.

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434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2222 Decided by a vote of 6-0 to: (1) find reason to believe that ETHAN HASTERT FOR CONGRESS COMMITTEE, and NELSON, LARRY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2224 Decided by a vote of 6-0 to: (1) find reason to believe that HERRMANN FOR CONGRESS, and FRANK J DEMILO CPA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2226 Decided by a vote of 6-0 to: (1) find reason to believe that JIM HOLT CAMPAIGN COMMITTEE, and MARC MILLSAP as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2229 Decided by a vote of 6-0 to: (1) find reason to believe that KEVIN POWELL FOR CONGRESS 2010, and LLOYD COLONA as treasurer violated 2 U.S.C.

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AF#2231 Decided by a vote of 6-0 to: (1) find reason to believe that LOWRY FOR CONGRESS, and ROBERT PAUL LOWRY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2234 Decided by a vote of 6-0 to: (1) find reason to believe that MARK FRENCH FOR CONGRESS, and KATHLEEN CARRELL FRENCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2236 Decided by a vote of 6-0 to: (1) find reason to believe that MIKE GRAVEL FOR PRESIDENT 2008, and MIKE GRAVEL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2237 Decided by a vote of 6-0 to: (1) find reason to believe that MORGAN FOR CONGRESS, and SNYDEN, RD HON. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2238 Decided by a vote of 6-0 to: (1) find reason to believe that MULLEN FOR CONGRESS, and STUART WAYNE MCMAHEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2242 Decided by a vote of 6-0 to: (1) find reason to believe that RICHARD LAKE FOR CONGRESS, and BRADLEY, TERRANCE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2243 Decided by a vote of 6-0 to: (1) find reason to believe that SCOTT TAYLOR FOR CONGRESS, and ITHIEL HARLEY THOMAS IV as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2246 Decided by a vote of 6-0 to: (1) find reason to believe that SHELDON GOLDSTEIN FOR CONGRESS, and JUSTIN MOORE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2247 Decided by a vote of 6-0 to: (1) find reason to believe that SLAS FOR CONGRESS, and CORY DICKSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2248 Decided by a vote of 6-0 to: (1) find reason to believe that SINGH FOR CONGRESS, and TIMOTHY J DAVIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2250 Decided by a vote of 6-0 to: (1) find reason to believe that TIM WOOLDRIDGE FOR CONGRESS, and CHARLES R PARTLOW as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2252 Decided by a vote of 6-0 to: (1) find reason to believe that WADE FOR DELAWARE, and HARRY SKILTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

December 17, 2010
Date

Attest:

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 21, 2010

Lloyd Colona, in official capacity as Treasurer
Kevin Powell for Congress 2010
93 Montague Street, PMB 246
Brooklyn, NY 11201

C00477703
AF#: 2229

Dear Mr. Colona:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through September 30th, shall be filed no later than October 15th. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On December 15, 2010, the FEC found that there is reason to believe ("RTB") that Kevin Powell for Congress 2010 and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before October 15th.

Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$4,950. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$4,950 is due within forty (40) days of the finding, or by January 24, 2011, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$116,338
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

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committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or January 24, 2011. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Kevin Powell for Congress 2010 and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

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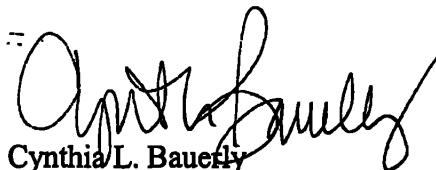
3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Cynthia L. Bauerly
Vice Chair

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$4,950 for the 2010 October Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by January 24, 2011. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Kevin Powell for Congress 2010

FEC ID#: C00477703

AF#: 2229

PAYMENT DUE DATE: January 24, 2011

PAYMENT AMOUNT DUE: \$4,950

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 26, 2011

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer
Acting Staff Director

FROM: Patricia Carmona *PC for PC*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Jodi Winship/Sari Pickernall *JP*
Compliance Branch

SUBJECT: Administrative Fine Program -

Final Determination Recommendation for the 2010 October Quarterly
Report (Non-Election Sensitive)

Also attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2010 October Quarterly Report (Non-Election Sensitive). The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

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For your information, seventeen (17) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. Of these, eight (8) committees will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding, and nine (9) committees will be assessed a civil money penalty of \$0 at FD. An overview of each of these cases has been provided below.

Clark Vandeventer for Congress 2010 (AF 2216) filed the 2010 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$62,597), which would result in no civil money penalty (fine previously assessed to be \$2,970).

Dede for Congress Inc 2010 (AF 2218) filed the 2010 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$254,324), which would result in no civil money penalty (fine previously assessed to be \$11,000).

Dick Kelsey for Congress (AF 2220) filed the 2010 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$88,366), which would result in no civil money penalty (fine previously assessed to be \$3,850).

Ethan Hastert for Congress Committee (AF 2222) filed the 2010 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$224 (previously estimated to be \$249,429), thus the fine would be lowered from \$7,150 to \$224.

Herrmann for Congress (AF 2224) filed the 2010 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$402,456), which would result in no civil money penalty (fine previously assessed to be \$9,900).

Jim Holt Campaign Committee (AF 2226) filed the 2010 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$73,884), which would result in no civil money penalty (fine previously assessed to be \$2,970).

Mark French for Congress (AF 2234) filed the 2010 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$34,594), which would result in no civil money penalty (fine previously assessed to be \$990).

Mike Gravel for President 2008 (AF 2236) filed the 2010 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$10 (previously estimated to be \$48,012), thus the fine would be lowered from \$2,227 to \$562.

Mullen for Congress (AF 2238) filed the 2010 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$89 (previously estimated to be \$33,765), thus the fine would be lowered from \$990 to \$89. The committee paid \$90.90 (see first list); therefore, we will issue a refund for the difference (\$1.90).

Scott Taylor for Congress (AF 2243) filed the 2010 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$27,498), which would result in no civil money penalty (fine previously assessed to be \$990).

Sheldon Goldstein for Congress (AF 2246) filed the 2010 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$35,241), which would result in no civil money penalty (fine previously assessed to be \$990).

Singh for Congress (AF 2248) filed the 2010 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$104,415), which would result in no civil money penalty (fine previously assessed to be \$6,187).

Federal Election Commission
FD Circulation Report Fine Not Paid
2010 OCTOBER QUARTERLY Not Election Sensitive 10/15/2010 H_S_P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	FV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
2218	CLARK VANDEVENTER FOR CONGRESS 2010	VANDEVENTER, CLARK	C00477688	CLARK VANDEVENTER	01/25/2011	Not Filed	\$0	0	12/15/2010	\$2,970	133	\$0
2218	DEDE FOR CONGRESS INC	SCOZZAFAVA, DIERDRE K	C00463376	DIERDRE K. SCOZZAFAVA	12/14/2010	Not Filed	\$0	1	12/15/2010	\$11,000	133	\$0
2220	DICK KELSEY FOR CONGRESS	KELSEY, RICHARD FRANKI IN	C00460220	JOHN B. BARRETT	01/21/2011	Not Filed	\$0	0	12/15/2010	\$3,850	133	\$0
2222	ETHAN HASTERT FOR CONGRESS COMMITTEE	HASTERT, ETHAN ALLEN	C00463285	LARRY NELSON	12/22/2010	Not Filed	\$224	0	12/15/2010	\$7,150	133	\$224
2224	HERRMANN FOR CONGRESS	HERRMANN, THOMAS A	C00479006	FRANK J. DEMILO, CPA	01/07/2011	Not Filed	\$0	0	12/15/2010	\$9,900	133	\$0
2226	JIM HOLT CAMPAIGN COMMITTEE	HOLT, JIM	C00473619	MARC MILLSAP	01/11/2011	Not Filed	\$0	0	12/15/2010	\$2,970	133	\$0
2229	KEVIN POWELL FOR CONGRESS 2010	POWELL, KEVIN	C00477709	LLOYD COLONA		Not Filed	\$116,338 (est)	0	12/15/2010	\$4,950	133	\$4,950
2231	LOWRY FOR CONGRESS	LOWRY, ROBERT PAUL	C00469273	RUTH BELL	02/29/2011	Not Filed	\$35,731	0	12/15/2010	\$980	133	\$980
2234	MARK FRENCH FOR CONGRESS	FRENCH, MARK TODD	C00479807	KATHLEEN CARRELL FRENCH	01/21/2011	Not Filed	\$0	0	12/15/2010	\$980	133	\$0
2236	MIKE GRAVEL FOR PRESIDENT 2008	GRAVEL, MIKE	C00423202	MIKE GRAVEL	04/18/2011	Not Filed	\$10	5	12/15/2010	\$2,227	133	\$582
2243	SCOTT TAYLOR FOR CONGRESS	TAYLOR, SCOTT W	C00469284	ITHIEL HARLEY THOMAS, IV	02/17/2011	Not Filed	\$0	0	12/15/2010	\$980	133	\$0
2246	SHELDON GOLDSTEIN FOR CONGRESS	GOLDSTEIN, SHELDON	C00473512	JUSTIN MOORE	02/04/2011	Not Filed	\$0	0	12/15/2010	\$980	133	\$0
2248	SINGH FOR CONGRESS	SINGH, NAVRAJ	C00467712	TIMOTHY J. DAVIS	02/03/2011	Not Filed	\$0	1	12/15/2010	\$8,187	133	\$0

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Federal Election Commission
FD Circulation Report Fine Paid
2010 OCTOBER QUARTERLY Not Election Sensitive 10/15/2010 H_S_P_UNAUTH

AP#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2213	CARLINEO FOR CONGRESS	CARLINEO, GLORIA	C00474049	GLORIA CARLINEO	12/07/2010	Not Filed	\$44,000	0	12/15/2010	\$980	\$980	01/25/2011	\$980
2225	JAY FLEITMAN FOR CONGRESS COMMITTEE	FLEITMAN, JAY SCOTT	C00481870	MARY LOU STUART	10/22/2010	7	\$80,174	0	12/15/2010	\$907	\$907	01/21/2011	\$907
2232	LUIS MELURICE FOR CONGRESS COMMITTEE	MELURICE, LUIS	C00463149	BERNARD A. BECKER	10/28/2010	11	\$57,453	0	12/15/2010	\$1,237	\$1,237	02/11/2011	\$1,237
2235	MATTHEW BURKE FOR CONGRESS	BURKE, MATTHEW	C00475085	JENNIFER BURKE	11/02/2010	18	\$3,344	0	12/15/2010	\$115	\$115	01/28/2011	\$115
2237	MORGAN FOR CONGRESS	MORGAN, VINCENT SCOTT	C00463408	HON. RD SNYDEN	11/17/2010	Not Filed	\$4,885	0	12/15/2010	\$250	\$250	01/24/2011	\$250
2238	MULLEN FOR CONGRESS	MULLEN, WESLEY MARTIN	C00480715	STUART MCMAHEN	01/24/2011	Not Filed	\$89	0	12/15/2010	\$89	\$89	01/26/2011	\$89.90
2242	RICHARD LAKE FOR CONGRESS	LAKE, RICHARD DAVID GEORGE	C00473595	TERRANCE BRADLEY		Not Filed	\$33,729 (est)	0	12/15/2010	\$980	\$980	01/26/2011	\$980
2249	SUE LOWDEN FOR U S SENATE	LOWDEN, SUE	C00487781	BOB BEERS	10/22/2010	7	\$42,300	0	12/15/2010	\$340	\$340	12/31/2010	\$340
2250	TIM WOOLDRIDGE FOR CONGRESS	WOOLDRIDGE, TYMOTHE (TIM) LYNN	C00478432	CHARLES R. PARTLOW	11/22/2010	Not Filed	\$19,501	0	12/15/2010	\$550	\$550	01/24/2011	\$550
2253	WILL BOYD FOR US SENATE	BOYD, WILLIE WILL EUGENE, JR	C00471433	WILLIE "WILL" BOYD, JR.	10/23/2010	8	\$18,581	0	12/15/2010	\$150	\$150	01/28/2011	\$150

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fines Final Determination)
Recommendation for the October Quarterly)
Report (Non-Election Sensitive):)
MATTHEW BURKE FOR CONGRESS,) AF# 2235
and BURKE, JENNIFER as treasurer;)
LUIS MEURICE FOR CONGRESS) AF# 2232
COMMITTEE, and BERNARD A)
BECKER as treasurer;)
WILL BOYD FOR US SENATE, and) AF# 2253
WILLIE "WILL" BOYD JR as treasurer;)
JAY FLEITMAN FOR CONGRESS) AF# 2225
COMMITTEE, and MARY LOU STUART)
as treasurer;)
SUE LOWDEN FOR U S SENATE, and) AF# 2249
BOB BEERS as treasurer;)
CARLINEO FOR CONGRESS, and) AF# 2213
CARLINEO, GLORIA as treasurer;)

CLARK VANDEVENTER FOR) AF# 2216
CONGRESS 2010, and CLARK)
VANDEVENTER as treasurer;)

DEDE FOR CONGRESS INC, and) AF# 2218
SCOZZAFAVA, DIERDRE K as treasurer;)

DICK KELSEY FOR CONGRESS, and) AF# 2220
JOHN B BARRETT as treasurer;)

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Federal Election Commission
Certification for Administrative Fines
April 28, 2011

Page 2

ETHAN HASTERT FOR CONGRESS) AF# 2222
COMMITTEE, and NELSON, LARRY as)
treasurer;)
HERRMANN FOR CONGRESS, and) AF# 2224
FRANK J DEMILO CPA as treasurer;)
JIM HOLT CAMPAIGN COMMITTEE,) AF# 2226
and MARC MILLSAP as treasurer;)

KEVIN POWELL FOR CONGRESS 2010,) AF# 2229
and LLOYD COLONA as treasurer;)
LOWRY FOR CONGRESS, and BELL,) AF# 2231
RUTH as treasurer;)

MARK FRENCH FOR CONGRESS, and) AF# 2234
KATHLEEN CARRELL FRENCH as)
treasurer;)
MIKE GRAVEL FOR PRESIDENT 2008,) AF# 2236
and MIKE GRAVEL as treasurer;)
MORGAN FOR CONGRESS, and) AF# 2237
SNYDEN, RD HON. as treasurer;)
MULLEN FOR CONGRESS, and) AF# 2238
MCMAHEN, STUART as treasurer;)

RICHARD LAKE FOR CONGRESS, and) AF# 2242
BRADLEY, TERRANCE as treasurer;)
SCOTT TAYLOR FOR CONGRESS, and) AF# 2243
ITHIEL HARLEY THOMAS IV as)
treasurer;)

SHELDON GOLDSTEIN FOR) AF# 2246
CONGRESS, and JUSTIN MOORE as)
treasurer;)
SINGH FOR CONGRESS, and TIMOTHY) AF# 2248
J DAVIS as treasurer;)
TIM WOOLDRIDGE FOR CONGRESS,) AF# 2250
and CHARLES R PARTLOW as treasurer;)

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 28, 2011 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the October Quarterly Report (Non-Election Sensitive) as recommended in the Reports Analysis Division's Memorandum dated April 26, 2011, on the following committees:

AF#2235 Decided by a vote of 6-0 to: (1) make a final determination that MATTHEW BURKE FOR CONGRESS, and BURKE, JENNIFER as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2232 Decided by a vote of 6-0 to: (1) make a final determination that LUIS MEURICE FOR CONGRESS COMMITTEE, and BERNARD A BECKER as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2253 Decided by a vote of 6-0 to: (1) make a final determination that WILL BOYD FOR US SENATE, and WILLIE "WILL" BOYD JR as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2225 Decided by a vote of 6-0 to: (1) make a final determination that JAY FLEITMAN FOR CONGRESS COMMITTEE, and MARY LOU STUART as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2249 Decided by a vote of 6-0 to: (1) make a final determination that SUE LOWDEN FOR U S SENATE, and BOB BEERS as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2213 Decided by a vote of 6-0 to: (1) make a final determination that CARLINEO FOR CONGRESS, and CARLINEO, GLORIA as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2216 Decided by a vote of 6-0 to: (1) make a final determination that CLARK VANDEVENTER FOR CONGRESS 2010, and CLARK VANDEVENTER as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2218 Decided by a vote of 6-0 to: (1) make a final determination that DEDE FOR CONGRESS INC, and SCOZZAFAVA, DIERDRE K as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2220 Decided by a vote of 6-0 to: (1) make a final determination that DICK KELSEY FOR CONGRESS, and JOHN B BARRETT as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate

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letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2222 Decided by a vote of 6-0 to: (1) make a final determination that ETHAN HASTERT FOR CONGRESS COMMITTEE, and NELSON, LARRY as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2224 Decided by a vote of 6-0 to: (1) make a final determination that HERRMANN FOR CONGRESS, and FRANK J DEMILO CPA as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2226 Decided by a vote of 6-0 to: (1) make a final determination that JIM HOLT CAMPAIGN COMMITTEE, and MARC MILLSAP as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2229 Decided by a vote of 6-0 to: (1) make a final determination that KEVIN POWELL FOR CONGRESS 2010, and LLOYD COLONA as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2231 Decided by a vote of 6-0 to: (1) make a final determination that LOWRY FOR CONGRESS, and BHLL, RUTH as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2234 Decided by a vote of 6-0 to: (1) make a final determination that MARK FRENCH FOR CONGRESS, and KATHLEEN CARRELL FRENCH as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2236 Decided by a vote of 6-0 to: (1) make a final determination that MIKE GRAVEL FOR PRESIDENT 2008, and MIKE GRAVEL as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2237 Decided by a vote of 6-0 to: (1) make a final determination that MORGAN FOR CONGRESS, and SNYDEN, RD HON. as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2238 Decided by a vote of 6-0 to: (1) make a final determination that MULLEN FOR CONGRESS, and MCMAHEN, STUART as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2242 Decided by a vote of 6-0 to: (1) make a final determination that RICHARD LAKE FOR CONGRESS, and BRADLEY, TERRANCE as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2243 Decided by a vote of 6-0 to: (1) make a final determination that SCOTT TAYLOR FOR CONGRESS, and ITHIEL HARLEY THOMAS IV as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2246 Decided by a vote of 6-0 to: (1) make a final determination that SHELDON GOLDSTEIN FOR CONGRESS, and JUSTIN MOORE as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2248 Decided by a vote of 6-0 to: (1) make a final determination that SINGH FOR CONGRESS, and TIMOTHY J DAVIS as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2250 Decided by a vote of 6-0 to: (1) make a final determination that TIM WOOLDRIDGE FOR CONGRESS, and CHARLES R PARTLOW as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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Federal Election Commission
Certification for Administrative Fines
April 28, 2011

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Attest:

April 29, 2011
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 29, 2011

Lloyd Colona, in official capacity as Treasurer
Kevin Powell for Congress 2010
93 Montague Street, PMB 246
Brooklyn, NY 11201

C00477703
AF#: 2229

Dear Mr. Colona:

On December 15, 2010, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Kevin Powell for Congress 2010 and its treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2010 October Quarterly Report. By letter dated December 21, 2010, the Commission sent notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$4,950 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. Within 40 days of the FEC's RTB finding, its treasurer was required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty. You must also file the 2010 October Quarterly Report if you have not already done so.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. The FEC made a final determination on April 28, 2011 that you, in your official capacity as treasurer, and Kevin Powell for Congress 2010 violated 2 U.S.C. § 434(a) and assessed a civil money penalty in the amount of \$4,950 in accordance with 11 C.F.R. § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$116,338
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise

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an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Sari Pickerall at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,



Cynthia L. Bauerly
Chair

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ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$4,950 for the 2010 October Quarterly Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

Payments by Personal Check

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Kevin Powell for Congress 2010

FEC ID#: C00477703

AF#: 2229

PAYMENT AMOUNT DUE: \$4,950

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**ELECTRONIC CERTIFICATION AGREEMENT FOR
DEBTS SUBMITTED TO THE FINANCIAL MANAGEMENT SERVICE'S
CROSS-SERVICING PROGRAM**

This Agreement is submitted by: Federal Election Commission

Creditor Agency: Federal Election Commission

Date of Agreement: November 23, 2010

The Creditor Agency agrees that:

- I. This Agreement covers all debts, including updates, changes, and modifications (Debts) submitted by Electronic Transmission on or after the date of this Agreement, by the above-named Creditor Agency (Agency) to the Financial Management Service (FMS), a bureau of the U.S. Department of the Treasury, for collection through FMS's Cross-Servicing Program (Cross-Servicing);
- II. The Agency will submit Debts to Cross-Servicing via Electronic Transmission of "Add Records" or "Update Records," as described in the attached Exhibit A. Each time the Agency submits a Debt via an Add Record or Update Record, the Agency is certifying the Debt;
- III. Any person who submits Debts via an Add Record or Update Record has or will have delegated authority to certify the Debts on behalf of the head of the Agency, and the Agency will provide a copy of this Agreement to any such person;
- IV. By submitting Debts via an Add Record or Update Record, the person submitting such Debts is certifying to the U.S. Department of the Treasury, under penalty of perjury pursuant to 5 U.S.C. § 5514, 31 U.S.C. § 3716, 31 U.S.C. § 3720A, and 28 U.S.C. § 1746 that, to the best of his or her knowledge and belief, the following is true and correct:
 1. **Valid Debts.** The Debts are delinquent, valid and legally enforceable in the amounts stated. The Agency will properly credit collections (other than TOP collections) to the delinquent debtors' accounts and notify FMS of any change in the amount, validity or legal enforceability of the Debt.
 2. **No Bar to Collection.** The Debts are not subject to any circumstances that legally preclude or bar collection, including collection by offset. There are no foreclosures pending with respect to any collateral securing a Debt. The Agency's records do not show that any debtor owing a Debt has filed for bankruptcy protection. Alternatively, the Agency can clearly establish that any automatic stay has been lifted or is no longer in effect.

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3. ***Administrative Offset and Tax Refund Offset.*** If the Agency has established a profile instructing FMS to refer Debts to the Treasury Offset Program (TOP) on its behalf for the purposes of tax refund and administrative offset, the person submitting such Debts will be certifying to the following:
- a. The Agency has complied with all of the provisions of 31 U.S.C. § 3716, 31 U.S.C. § 3720A, 31 C.F.R. §§ 285.2 and 285.5, and the Federal Claims Collection Standards (31 C.F.R. Parts 900-904), as may be amended, as well as other statutes, regulations and policies applicable to collection by administrative offset and tax refund offset.
 - b. At least 60 days prior to the date of the certification (i.e., date of Electronic Transmission), the Agency has provided, or made a reasonable attempt to provide in accordance with applicable offset regulations, each debtor with:
 - i. written notification, at the debtor's most current known address, of the nature and the amount of the Debt, the intention of the Agency to collect the Debt through administrative offset and tax refund offset, including offset of State payments, and an explanation of the rights of the debtor;
 - ii. an opportunity to inspect and copy the records of the Agency with respect to the Debt;
 - iii. an opportunity for review within the Agency of the determination of the Agency with respect to the Debt, including the opportunity to present evidence that all or part of the Debt is not past-due or legally enforceable; and
 - iv. an opportunity to enter into a written repayment agreement with the Agency
 - c. The Agency has considered any evidence presented by the debtor and determined that the amount of the Debt is past-due and legally enforceable and there are no pending appeals of such determination.
 - d. The Agency has, at minimum, made the following reasonable efforts to obtain payment of the Debt: demanded payment and provided the debtor with the notice and opportunities described in paragraph 3.b.

- e. For Debts outstanding more than ten years on or before December 31, 2009, the notice described in paragraph 3.b. was sent to the debtor after the Debt was outstanding for more than ten years, and that the debtor was afforded the rights described in paragraphs 3.b. – 3.d. at that time. This requirement does not apply to any Debt that could be collected by offset without regard to any time limitation prior to December 31, 2009 (e.g., student loans debts, judgments).

4. ***Due Process Compliance for Salary Offset.*** With respect to the offset of Federal salaries, if the Agency has authorized FMS to set up an agency profile so that all debts are referred to TOP for offset of federal salary payments:

- a. The Agency has complied with all of the provisions of 5 U.S.C. § 5514, 5 C.F.R. §§ 550.1101-1110, and 31 CFR § 285.7, as may be amended, as well as other statutes, regulations and policies applicable to collection by salary offset.
- i. The Agency has provided, or made a reasonable attempt to provide, each debtor with the notice, opportunities, and considerations described in paragraphs 3.b., 3.c. and 3.e (if applicable) and the additional notices and opportunities, including the opportunity for waiver consideration and for a hearing, required for salary offset.

5. ***Consumer Reporting Agencies.*** The Agency has complied with all of the provisions of 31 U.S.C. § 3711(e) and the Federal Claims Collection Standards, as well as other statutes, regulations and policies applicable to the Agency's reporting of delinquent debts to consumer reporting agencies. The Agency has:

- a. determined that the debts are valid and overdue;
- b. notified the debtor, more than 60 days prior to the date of the certification:
- i. that the debt is overdue,
- ii. that the Agency intends to disclose to a consumer reporting agency that the debtor is responsible for the debt,
- iii. of the specific information to be disclosed to the consumer reporting agency, and
- iv. of the debtor's rights to an explanation of the claim, to dispute the information in the Agency's records about the claim, and to

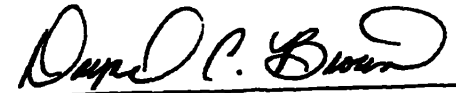
administrative repeal or review of the claim; and

- c. upon the request of a debtor, provided for a review of any debtor's claim, including an opportunity for reconsideration of the initial decision on the claim.

In addition, no debtor has repaid or agreed to repay the claim under a signed repayment agreement or filed for review of the claim.

- d. *Interest and Penalties.* The Agency has complied with all of the provisions of 31 U.S.C. § 3717 and the Federal Claims Collection Standards, as well as other statutes, regulations and policies applicable to Agency's assessment of interest, penalties and administrative costs. The Agency has mailed or hand-delivered a written notice to all debtors explaining the Agency's requirements concerning the charges.

CERTIFICATION: Pursuant to 28 U.S.C. § 1746, I certify that I have been delegated authority to execute this Agreement on behalf of the head of my agency.



Dayna C. Brown

Director, Office of Administrative Review



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2225

DATE SCANNED 7-20-11

SCANNER NO. 2

SCAN OPERATOR IMP

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